IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWELFTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE BILAL NAZKI

and
THE HON'BLE MR JUSTICE P.S.NARAYANA

WRIT PETITION NO.3997 of 2004

Between:

G.Eswar, S/o.Ramalingam,
Plot No.41 road No.14 B.N.Reddy Colony,
Banjara Hills,Hyderabad. **..... PETITIONER**

AND

Deputy Commercial Tax officer,

Basheerbagh Circle, Hyderabad. **.....RESPONDENT**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue writ of mandamus or any other appropriate writ or direction declaring the proceedings of the respondent dated 27-2-2004 as illegal arbitrary and consequently direct the respondent not to conduct auction of the movable belonging to the petitioner and pass such other order.

Counsel for the Petitioner: MR.O.MANOHER REDDY

Counsel for the Respondent: GP FOR COMMERCIAL TAXES

The Court made the following :

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ORDER: (PER SRI BN, J)

Heard learned Counsel for the respondent and perused the record.

In an undertaking given by the petitioner on 09-03-2004, he had stated that he will pay Rs.1,00,000/- by 5th April, 2004, Rs.1,40,603/- by 5th May, 2004 and the balance of Rs.1,40,603/- by 5th June, 2004. On last occasion, the learned Counsel for the petitioner wanted to get directions as to whether the amounts have been paid. Today he submits that an amount of Rs.80,000/- is yet to be paid.

In these circumstances, we dispose of this writ petition by directing the petitioner to pay the balance of Rs.80,000/- within two weeks. If the amount is not paid within the time stipulated, the respondent shall be at liberty to initiate any action against the petitioner permissible under law.

(Bilal Nazki, J)

12th July, 2004

(P.S.Narayana, J)

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To

1.The Deputy Commercial Tax officer,

Basheerbagh Circle, Hyderabad.

2.Two CCs to the Govt. Pleader for Commercial Taxes,

High Court Buildings, Hyderabad (O.U.T)

3.Two CD copies

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